

Remarks

Applicants respectfully request reconsideration of this application as amended. Claims 1, 2, and 6-12 have been amended. No claims have been cancelled. Therefore, claims 1-12 are present for examination.

In the Office Action, claims 1-4, and 9-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants submit that claims 1, 2, and 9 have been amended to appear in proper condition for allowance.

Claims 1 and 5 stand rejected under 35 U.S.C. §102(e) as being anticipated by Hipp et al. (U.S. Patent No. 6,411,506). In addition, Claims 9-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hipp et al. (U.S. Patent No. 6,411,506).

Applicants submit that the present claims are patentable over Hipp. Hipp discloses a web server processing card that is a single board computer upon which all of the requisite components and devices are mounted to enable the processing card to function and operate as a server hosting a wide array of Internet-based applications. Each web server processing card within a particular chassis, share a common passive midplane through which all power and connectivity passes. See Hipp col. 7, ll. 52-56. Each web server processing card includes a printed circuit board, coupled with a central processing unit (CPU), a disk drive, a dynamic memory integrated circuit, and network interface integrated circuitry. See Hipp col. 8, ll.1-4. A server chassis is intended for rack mount in a server rack, and includes the passive midplane and all the associated web server processing cards. See Hipp col. 7, ll. 57-62. Hipp further discloses, a network interface card that couples the passive midplane and web server processing cards with a public network switch via a communication links. The public network switch distributes data

between the web server processing cards and the public network. See Hipp col. 3, ll. 66-67 and col. 4, ll. 1-6.

Claim 1 of the present application recites an apparatus comprising a card rack with two or more server node cards where each server node can perform server functions with integrated switch and router functions including load balancing and fail-over. Applicants submit that Hipp does not disclose a server node card with integrated switch and router functions. Instead, Hipp discloses web server processing cards mounted in a server rack and coupled with a public network switch. Such a web server processing card teaches away from a card having switch and router functions integrated on a server processing card itself. Since there would be no need for a server processing card to be coupled with a public switch if the card had integrated switching capabilities. Therefore, claim 1 is patentable over Hipp.

Claims 2-4 depend on claim 1 and contain additional features, claims 2-4 are also patentable over Hipp.

Claim 5 discloses a plurality of server nodes, each server node comprising a server with integrated switching, routing, load balancing and fail-over functions. Thus, for the reasons described above with respect to claim 1, claim 5 is also patentable over Hipp. Since claims 6-8 depend on claim 5 and contain additional features, claims 6-8 are also patentable over Hipp.

Claim 9 discloses a plurality of server nodes, each server node comprising a server with integrated switching, routing, load balancing and fail-over functions. Thus, for the reasons described above with respect to claim 1, claim 9 is also patentable over Hipp. Since claims 10-12 depend on claim 9 and contain additional features, claims 10-12 are also patentable over Hipp.


Applicants respectfully submit that the rejections have been overcome and that the claims are in condition for allowance. Accordingly, applicants respectfully request the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Respectfully submitted,

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